

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA and the States
of ARKANSAS, CALIFORNIA, DELAWARE,
FLORIDA, HAWAII, ILLINOIS, INDIANA,
LOUISIANA, MASSACHUSETTS, NEVADA,
NEW HAMPSHIRE, NEW MEXICO,
TENNESSEE, TEXAS, UTAH, and VIRGINIA,
and the DISTRICT OF COLUMBIA *EX REL*
JOSEPH PIACENTILE,

Plaintiffs,

v.

PFIZER, INC.,

Defendant.

No. 05-Civ-010617-RWS

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Relator Joseph Piacentile, M.D., on behalf of the United States of America and on behalf of the sovereign states of California, Delaware, Florida, Hawaii, Illinois, Louisiana, Massachusetts, Nevada, New Hampshire, New Mexico, Tennessee, Texas and Virginia and the District of Columbia, hereby enters this Notice of Voluntary Dismiss Without Prejudice, pursuant to Fed. R. Civ. P. 41(a)(1). The Defendant has not been served itself and has not served either an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). The United States consents to this dismissal without prejudice. *See* 31 U.S.C. § 3730(b)(1) (requiring consent of the Government).

Dated: June 24, 2009

Respectfully submitted,

By: /s/ John D. Radice

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CERTIFICATE OF SERVICE

I, John D. Radice, hereby certify that true and correct copies of the attached NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE were filed via E.C.F. in the S.D.N.Y. and served upon the following via First Class Mail on June 24, 2009:

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/s/ John D. Radice
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